

AMENDEMENTS TO THE CLAIMS

Claims 1-53 (cancelled)

Claim 54 (currently amended): ~~The~~ An Aspergillus mold fungus ~~according to claim 54~~ 53, which is Aspergillus niger NIA 1602 (FERM BP-5853).

Claim 55 (cancelled)

Claim 56 (withdrawn): A process for producing a β -fructofuranosidase comprising:
transforming the mold fungus according to claim 54, using a DNA construction
comprising a DNA encoding a β -fructofuranosidase,
cultivating the transformant, and
collecting the β -fructofuranosidase from the transformant and/or the culture thereof.